

The Global Justice Clinic at New York University (NYU) School of Law¹ and the undersigned law school clinics, non-profit organizations, and law professors with expertise in international human rights, refugee, and immigration law (“Proposed *Amici*”), respectfully request leave to appear as *amici curiae* and to file the accompanying brief in support of [REDACTED]’s petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241. Proposed *Amici* have extensive experience researching and working to prevent and redress violations of international human rights law, including in the immigration context.

The decision to allow briefing from an *amicus curiae* in a pending action is within the broad discretion of the district court, which may consider the brief based on whether it is “timely or useful,” or “otherwise necessary to the administration of justice.” *Does 1-7 v. Round Rock Indep. Sch. Dist.*, 540 F. Supp. 2d 735 n.2 (W.D. Tex. 2007) (citations omitted). “Although neither the Rules of Civil Procedure nor the Local Rules of this Court prescribe procedures for filing an *amicus curiae* brief, the district court’s inherent authority to allow the participation of *amicus* under conditions that the court finds appropriate has been recognized in numerous cases.” *Alex Pacheco v. Freedom Buick GMC Truck, Inc.*, No. MO-10-CV-116, 2011 WL 13234884, at *1 (W.D. Tex. Nov. 1, 2011) (collecting cases). The proposed brief is timely, submitted prior to the Respondents’ deadline to respond to the petition, and useful, because it addresses additional and complementary international law bases for Petitioner’s release.

¹ The Global Justice Clinic is part of the NYU School of Law Clinical Law Program, which trains law students in the practice of law through work on actual cases representing clients under attorney faculty supervision. The Clinic is part of Washington Square Legal Services, Inc. (WSLS), a not-for-profit entity under which the Law School’s clinical law legal practice is conducted. The Student Practice Order issued by the First Department (NY State) to WSLS authorizes its supervision of law students in the practice of law according to the guidelines set forth in the Order. As is true with all briefs and reports from clinics and centers at NYU School of Law, this brief does not purport to present the school’s institutional views, if any.

Counsel for Proposed *Amici* have conferred with counsel for all parties regarding submission of this Motion. Counsel for Petitioner and Respondents have informed counsel for Proposed *Amici* that they have no objection to this Motion.

Proposed *amicus curiae* the **Global Justice Clinic**, at New York University School of Law, is part of Washington Square Legal Services, Inc. The Clinic utilizes domestic and international legal frameworks to challenge human rights violations and hold accountable those responsible. It represents individuals who have experienced torture and arbitrary detention, and litigates on behalf of those individuals before domestic, regional, and international bodies. The Clinic also works to document allegations of torture and detention conditions in order to facilitate accountability for those abuses, including in the immigration context.

Proposed *amicus curiae* the **Immigrant Rights Clinic (IRC)**, at New York University School of Law, is part of Washington Square Legal Services, Inc. IRC has a longstanding interest in advancing and defending the rights of immigrants. IRC has been counsel of record or *amicus curiae* in several cases addressing the government's detention authority, including cases before the Immigration Courts, Board of Immigration Appeals, federal district courts, federal appellate courts, and the U.S. Supreme Court.

Proposed *amicus curiae* the **International Human Rights Law Clinic**, at American University Washington College of Law, works to defend the human rights of non-U.S. citizens before domestic, regional, international, and immigration bodies. This includes providing representation for individuals seeking refugee status, those seeking asylum in the United States, and those seeking refuge in the United States from Central America.

Proposed *amicus curiae* **Justice in Motion** is a non-profit, non-governmental organization that protects migrant rights by ensuring justice across borders. To address legal and

practical barriers that prevent many migrants from asserting claims in a country when they are no longer present or from collecting evidence in other countries, Justice in Motion promotes “portable justice,” assisting migrants to challenge an exploitative employer, denounce an abusive government action, or seek refuge from harm across borders. Justice in Motion carries out legal, educational, and policy initiatives in the United States, Canada, Mexico and Central America. Essential to this transnational model is its Defender Network, a unique partnership of on-the-ground human rights organizations in Mexico and Central America.

Proposed *amici curiae* **Roxanna Altholz** of the International Human Rights Law Clinic at the University of California, Berkeley School of Law, **Sameer Ashar** of the Immigrant Family Legal Clinic at UCLA School of Law, **Laurel E. Fletcher** of the International Human Rights Law Clinic at the University of California, Berkeley School of Law, **Claudia M. Flores** of the International Human Rights Clinic at the University of Chicago Law School, **Denise Gilman** of the Immigration Clinic at the University Texas School of Law, **Jocelyn Getgen Kestenbaum** of the Benjamin B. Ferencz Human Rights and Atrocity Prevention Clinic at the Benjamin N. Cardozo School of Law, **Juan Mendez** (Former U.N. Special Rapporteur on Torture 2010-2016) of the American University Washington College of Law, **Sarah H. Paoletti** of the Transnational Legal Clinic at the University of Pennsylvania Law School, and **Penny Venetis** of the International Human Rights Clinic at Rutgers Law School, are law professors and practitioners with expertise in immigration, refugee, and human rights law.²

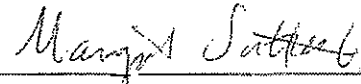
A copy of the Proposed Brief *Amici Curiae* is attached hereto as Exhibit 1 for the Court’s consideration. To the extent to brief exceeds any page limitations imposed under the local rules,

² Individuals’ institutional affiliations are included for identification purposes only.

Proposed *Amici* respectfully request that this Court grant leave to file the attached document in its entirety.

Dated: February 14, 2019
New York, NY

Respectfully submitted,



Margaret Lockwood Satterthwaite*
Nikki Rebecca Reisch*

Counsel for Amici Curiae

Anjali Mehta, law student advocate
Ashley Miller, law student advocate
WASHINGTON SQUARE LEGAL
SERVICES, INC.
245 Sullivan Street
New York, NY 10012
(212) 992-8873
satterth@mercury.law.nyu.edu;
nikki.reisch@nyu.edu

* Motions for admission *pro hac vice* pending.